IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG DIVISION

MICHAEL A. CORBIN, d/b/a
MOUNTAIN HERITAGE REALTY, LLC,

Plaintiff,

v. **Civil Action No. 3:16-cv-171**
Judge Groh

CHHS INVESTMENTS, LLC,

Defendant.

ANSWER

COMES NOW the Defendant, CHHS Investments, LLC by its counsel and responds to the Complaint and maintains its defenses as follows:

First Defense

The Complaint fails to state a claim upon which relief can be granted.

Second Defense

Plaintiff's claim is barred by the affirmative defenses of waiver and estoppel.

Third Defense

Plaintiff's claim is barred by failure of consideration.

Fourth Defense

Defendant denies that it breached any contract with the Plaintiff and that Plaintiff has sustained any damages.

Fifth Defense

Defendant reserves the right to assert such additional defenses as may become apparent during the course of discovery.

Sixth Defense

Corresponding to the numbered allegations of the Complaint, Defendant responds as follows:

1. Admitted.

2. Admitted.

3. Admitted.

4. Admitted.

5. Admitted, except that jurisdiction and venue are proper in the United States District Court for the Northern District of West Virginia pursuant to 28 U.S.C. § 1332 because the civil action involves a dispute between citizens of different states, the amount in controversy exceeds the sum or value of $75,000.00 exclusive of interest in costs, and Hampshire County falls within the Martinsburg Division of the Northern District of West Virginia.

6. Admitted.

7. Defendant can neither admit nor deny the allegations in ¶ 7 as Exhibit A is generally illegible.

8. Defendant can neither admit nor deny the allegations in ¶ 8 as Exhibit A is generally illegible.

9. Defendant can neither admit nor deny the allegations in ¶ 9 as Exhibit A is generally illegible.

10. Denied.

11. Defendant is without sufficient information or belief to form an opinion as to the truth of the allegations contained in ¶ 11 of the Complaint and demands strict proof thereof.

12. Admitted.

13. Defendant is without sufficient information or belief to form an opinion as to the truth of the allegations contained in ¶ 13 of the Complaint and demands strict proof thereof.

14. Defendant is without sufficient information or belief to form an opinion as to the truth of the allegations contained in ¶ 14 of the Complaint, except that Defendant admits that it did not renew the listing agreement.

15. Admitted, except that the deed was recorded May 14, 2015.

16. Admitted.

17. Denied.

18. Defendant is without sufficient information or belief as to the truth of the allegations contained in ¶ 18 of the Complaint and demands strict proof thereof.

19. Denied.

20. Denied.

WHEREFORE, Defendant prays that Plaintiff's Complaint be dismissed, and that it be awarded costs in its behalf expended, including reasonable attorney fees.

CHHS INVESTMENTS, LLC
Defendant, by Counsel

/s/ Charles F. Printz, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of January 2017, I served the foregoing Answer with the Clerk of the Court using the E-Filing system, a copy of which will be sent via United States Mail postage prepaid to the following counsel of record:

Jonathan G. Brill Esq.
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Romney, West Virginia 26757

Counsel for Plaintiff Michael A. Corbin

/s/ Charles F. Printz, Jr.
Charles F. Printz, Jr.